



Public Comment Analysis

Date: November 16, 2011
Topic: The Proposed Opening of a New Zoned District Elementary School (02MTBD) and Temporary Co-location with Existing School P.S. 51 (02M051) in Building M816
Date of Panel Vote: November 17, 2011

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to open a new District 2 zoned elementary school (02MTBD, “New School”) in September 2012. If this proposal is approved, New School would serve kindergarten students during the 2012-2013 school year, and would eventually serve kindergarten through fifth grade in leased space at 323 East 91st Street in Manhattan’s District 2, also known as “Our Lady of Good Counsel,” or building M816. For the 2012-2013 school year, New School would be co-located in M816 with P.S. 51 Elias Howe (02M051, “P.S. 51”), an existing DOE zoned elementary school serving grades kindergarten through five. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias. The opening of a new district elementary school in building M816 would address kindergarten waitlists at the adjacent zoned school P.S. 290 Manhattan New School (02M290, “P.S. 290”), and the growth of elementary demand in the Upper East Side neighborhood.

New School would be co-located with P.S. 51 for one year until P.S. 51 moves into its own facility in September 2013. M816 is a leased facility with one year remaining on the lease. The lease on this facility expires August 31, 2012. The DOE is in active discussions with the Archdiocese of New York to obtain a long-term lease on this facility. If the DOE is not successful at obtaining a long-term lease on M816, future plans for New School would be proposed in a separate Educational Impact Statement (“EIS”).

P.S. 51 is a zoned district elementary school that serves 334 students in kindergarten through fifth grade. P.S. 51 is being temporarily housed in M816 during construction of its new facility.

If this proposal is approved, New School will open in M816, serving approximately 60-75 kindergarten students in the 2012-2013 school year. In subsequent years, New School will add one grade per year until it serves kindergarten through fifth grade. New School will offer up to three General Education or Integrated Co-Teaching (“ICT”) class sections per grade. Total

projected enrollment at New School will be approximately 390-480 students at full scale. New School will be the only school housed in M816 after the 2012-2013 school year.

The DOE is working with the Community Education Council (“CEC”) for District 2 to rezone the Upper East Side schools to create a new zone for New School in order to effectively utilize the capacity of building M816. That proposal must be approved by the CEC before it would take effect. As a zoned school, New School would give priority to students living in its zone.

The details of this proposal to open New School and temporarily co-locate it with P.S. 51 in Building M816 have been released in an Educational Impact Statement which can be found on the Department of Education’s Web site: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Nov2011Proposals.htm>. Copies of the EIS are also available in the main office of P.S. 51.

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding both the proposed temporary re-siting of P.S. 51 and the proposed opening of a new zoned district elementary school and temporary co-location with P.S. 51 in building M816 was held at building M816 on November 2, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 60 members of the public attended the hearing, and 23 people spoke. While the comments mainly regarded the opening of a new zoned district elementary school in building M816, some comments related to the proposal to temporarily extend the co-location of P.S. 51 in M816. (A summary and analysis of the comments related to the P.S. 51 proposal is available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Nov2011Proposals.htm>). Present at the meeting were Community School District 2 Superintendent Mariano Guzmán; District 2 Community Education Council (“CEC 2”) President Shino Tanikawa; CEC 2 Representative Tamara Rowe; P.S. 51 Principal Nancy Sing-Bock; P.S. 51 School Leadership Team (“SLT”) Chair Lauren Miller; Shelby Garner, representing U.S. Representative Carolyn B. Maloney; Kristen Ellis, representing Manhattan Borough President Scott Stringer; Ricky Gunsberg, representing New York State Assemblymember Micah Kellner; Matthew Walsh, representing New York State Assemblymember Dan Quart; and Michelle Feldman, representing New York City Councilmember Jessica Lappin.

The following comments and remarks were made at the joint public hearing on November 2, 2011:

1. CEC 2 President Shino Tanikawa commented as follows:
 - a. She expressed the opinion that the DOE listened to the community about temporarily re-siting P.S. 51.
 - b. She noted that the projections for enrollment growth at New School in the EIS show an increase in enrollment between grades three and four in the 2016-2017 school year, and asked why the cohort’s enrollment increases and on what are the projections based.

- c. She expressed the opinion that the EIS does not truly describe the impact co-location and re-siting have on children and academics. For example, issues arising from scheduling shared space takes away attention from teaching or starting lunch early is sometimes required by co-location.
2. P.S. 51 SLT Chair Lauren Miller asserted that if the sixth floor renovations are not completed in time for the 2012-2013 school year, there would not be enough room for New School to fit in the building because all currently available space is needed for P.S. 51. Construction has not yet begun.
3. P.S. 51 Principal Nancy Sing-Bock asserted that:
 - a. There are concerns about when the sixth floor renovations will be started and completed. They have not started yet.
 - b. The two schools can work out how to share the gymnasium and cafeteria.
4. Shelby Garner, representing U.S. Representative Carolyn Maloney, asserted that:
 - a. While the openings of new District 2 schools P.S. 151 and P.S. 267 have helped ease overcrowding in the community, there is clearly more that needs to be done. P.S. 290 remains one of the most overcrowded schools in the City, and there are waitlists and overcrowded rooms at many other East Side schools.
 - b. With the space made available by the move of P.S. 151 from OLG in September 2011, there is a golden opportunity to address the perennial overcrowding at P.S. 290 by opening a new school in the building. Rep. Maloney is delighted the DOE has proposed siting a new zoned elementary school in OLG.
 - c. The development of P.S. 151 should serve as a guide to the DOE for public engagement. The community benefited greatly from the DOE engaging parents with weekly discussions and consultation in order to create community ownership of P.S. 151.
 - d. Schools should not be perversely encouraged to remain overcrowded due to budget concerns.
5. Multiple commenters supported the proposal, for the following reasons:
 - a. One commenter “applauded” DOE for recognizing that there is still an overcrowding issue, and expressed confidence that parents at Ruppert Towers will rally to make the new school wonderful. The commenter asserted that for years there, the rallying cry has been against overcrowding at P.S. 290. P.S. 151 opened an extra kindergarten section in 2011-2012 because of P.S. 290, but a new zoned school would handle that local overcrowding instead. P.S. 151 should not be the overflow site for P.S. 290 anymore.
 - b. One commenter noted that P.S. 77 Lower Lab (which other commenters suggested should be sited in M816) admits students from all of District 2, not just the nearby area.
 - c. One commenter asserted that the importance of a new zoned elementary school—if everything is settled by January, when kindergarten applications open—is that it would resolve the issue of uncertainty for parents about where their child will attend school. The commenter expressed the opinions that waitlists are unbearable, and that

once the problem of quality at P.S. 198 is solved, not so many people would be fighting to get into all the other nearby schools.

- d. A commenter asserted that there is a clear need to rezone the Upper East Side to address overcrowding at P.S. 290. For all three years of its existence, P.S. 151 has absorbed children from the P.S. 290 waitlist, which has significantly impacted P.S. 151. The commenter expressed appreciation for DOE attempts to address the overcrowding by securing building M816 to make it a new zoned elementary school. Opportunities to open a new school are extremely rare. The commenter asserted that we need a new zoned school to keep P.S. 151 from becoming overcrowded before it reaches full scale.
 - e. A commenter expressed the opinion that as a parent of a student who would attend New School, small, nearby schools are preferable to fewer, larger schools as some, who support moving P.S. 77 to building M816, have suggested would be more efficient. Based on the DOE plan, even this school will be over-capacity, which shows just how many children in the zone need to be accommodated. So, if we moved P.S. 77 here, where would the kids that would otherwise go to the new school go? The commenter asserted that it is more important to have sufficient capacity in zoned schools.
 - f. A commenter noted that as a parent of a child who will be in kindergarten next year, they would be impacted by rezoning. The commenter expressed the opinion that rezoning would be unnerving, and asserted that they were completely against P.S. 77 Lower Lab in building M816. Gifted and Talented (G&T) is expanding so much because the district does not have enough good zoned schools, so the commenter supports having a new zoned school available to families in their local community.
 - g. A commenter expressed the opinion that overcrowding continues to be an issue. The new zoned school needs to be opened, and the EIS makes perfect sense.
6. Multiple commenters asserted that the proposal should be delayed:
- a. One commenter expressed the opinion that as a parent of a child who would be a kindergartener at New School next year, it is encouraging to see that there would be a community for the school. However, the commenter asked why it needs to open next September, and suggested that because of all the different changes, the DOE should put it off for a year.
 - b. A commenter asserted that it sounds like there will be a lot of issues with the new school, including making a zone, the construction, and co-location, so why not just wait one year? The commenter expressed concern that by moving too quickly, the DOE risked opening a school that might not be high-performing. The commenter also asserted the building should not be given to P.S. 77 Lower Lab, and that the DOE should instead continue to open up new great schools.
7. A commenter asserted that when he grew up, a person could walk into P.S. 6 and sign up for class the day before school started. His daughter was zoneless, and his son doesn't know what zone he is in. The commenter concluded that whatever the DOE decides to do, they need to figure it out fast.
8. Multiple commenters opposed the proposal, for the following reasons:

- a. A commenter asserted that school overcrowding is the result of good things in the city and a problem we want to have, but the question is how to respond. The commenter suggested that adding a zoned school is a short-term expedient solution but not the best solution. The commenter suggested that the expansion and modernization of existing facilities to create fewer, larger schools would increase the quality of schools, create more seats, and be more cost-efficient, and pointed to nearby private schools as an example. The commenter asserted that focusing on long-term solutions like this would prevent crises like overcrowding from ever taking place.
- b. A commenter expressed the opinion that the M816/OLGC space might serve the neighborhood better as a specialty school like P.S. 77 Lower Lab. The commenter asserted that allowing parents more choices will reduce waitlists at all the schools, and that the DOE has not provided compelling projections of how many students will be attending elementary in the future. P.S. 77 Lower Lab expanding capacity would free up seats at neighborhood schools like P.S. 290 and better meet parent needs.
- c. A commenter suggested that the DOE should move P.S. 77 Lower Lab from building M198 to OLGC in a segmented process. The commenter asserted that this process could alleviate issues in building M198 and the Upper East Side in general, and that separating P.S. 198 and Lower Lab will open up opportunities for both schools. Lower Lab will present opportunities district-wide and particularly in the Upper East Side. 74% of students at Lower Lab are from the Upper East Side. The commenter asserted that such an expansion would cut down on the waiting list for Lower Lab, and would cut down on waiting lists throughout the district. The commenter expressed the opinion that Lower Lab has a strong family support system that already exists, but in contrast, a new school would have to create a support structure from the beginning, and that it is more cost effective to expand existing schools than to open a new school.
- d. A commenter notes that as a pre-school parent currently zoned for 290, he would be rezoned for the new school. The commenter asked about parent involvement for the new school at OLGC, because the commenter wanted his child to attend an established school with a cohesive community and an experienced principal. The commenter asserted that P.S. 290 parents do not want rezoning, and that there is not an overcrowding crisis, but a waitlist crisis because admission has been mismanaged. The commenter expressed the opinion that the lateness of admission to G&T is the problem, and it would benefit P.S. 198 to not be co-located with P.S. 77.
- e. A commenter notes that as a former P.S. 290 parent, when the school was 400 students above capacity, we set out to fix overcrowding problems on the Upper East Side, and we are now two-thirds of the way toward that vision—where every child could attend a school in the neighborhood that was not crowded. The commenter asserted that in fixing the overcrowding problem, we did not want to touch P.S. 198 because of the perception of the school’s quality. The commenter further asserted that we can fix the whole Upper East Side by moving P.S. 77 into OLGC and fixing the zones. The commenter asked what is the actual data now and enrollment figures over the next 5 years, and asserted that there are only about 3,000 seats now, but 5,400 students rising through the grades (based on 900 kindergarten kids now).
- f. The P.S. 198 SLT made a statement expressing the opinion that a P.S. 77 Lower Lab relocation would be positive for P.S. 198 if no one else is moved into building M198.

- Its G&T program could then grow. The statement asserted that the school has lost all cluster space except the science space, and that if P.S. 198 is not given more space, the lack of cluster space will continue and the popular pre-kindergarten program will probably have to go to make room for more G&T, as the current sections rise to higher grades. The statement further asserted that P.S. 198 students would benefit from having sole use of the building, and that many people would like to get into P.S. 77.
- g. A parent commenter noted that they moved specifically to be zoned for P.S. 290. The commenter asserted that there are growing pains to new schools, and it takes a long time to make a new school good. With regard to the DOE's reference to the successful launch of P.S. 151, the commenter asked whether P.S. 151 had more ramp up time to plan for their school. The commenter asserted that they had neighbors who were on the waitlist and it was very stressful, but the admissions process could be managed better because on September 1st of this year, there was not that much overcrowding, so people ultimately got something they were happy with.
 - h. Two commenters asserted that as parents of a child who will be in kindergarten next year, they were flipped to three zones in last year's process and now are up in the air again. They expressed the opinion that not knowing where your child will be creates tremendous stress. They asserted that they want an established school with an experienced principal, but are going in blindly to the new school, and it is very frustrating. The commenter asked why they were told in January that they were put into a new school with no information, and with co-location, and opined that this can't be conducive to a good education.
 - i. A commenter asserted that at a meeting at P.S. 116, the DOE said they would never put two schools in one building. The commenter expressed the opinion that putting a G&T program in a school without enough room is not a winning strategy, and asserted that P.S. 198 does not have special rooms for cluster subjects. The commenter stated that we should not lose sight of need for P.S. 198 to expand and have its own identity, and there is a ton of merit to have G&T within a general education school, so P.S. 77 should be given its own building.

Comments received at the Joint Public Hearing which did not directly relate to the proposal

- 9. A commenter said available space in building M158 should be used for a middle school.
- 10. A commenter said the Life Sciences building or abandoned school building on 97th Street or 98th Street between Second Avenue and Third Avenue should be used for a re-siting of P.S. 77.
- 11. A commenter said that P.S. 198 needs to be fixed.
- 12. A commenter said, despite perception, P.S. 198 is an excellent school.

Summary of Issues Raised in Written and/or Oral Comments Submitted to the DOE Regarding the Proposal

- 13. Two commenters submitted e-mails opposed to the proposal, making multiple points:

- a. Building M816 should be used as a new location for P.S. 77 instead of New School so that P.S. 77 and P.S. 198 can expand their enrollments. P.S. 77 and P.S. 198 are cramped together in their current location. Allowing P.S. 77 to expand in M816 would provide more opportunity for families to send their children to G&T programs. Expanding existing schools is more cost-effective than opening new ones.
- b. There is not an overcrowding problem at P.S. 290 that needs to be solved by opening New School. Rather, the admissions process needs to be fixed to eliminate waitlists that end up having not been necessary in the first place.
- c. As evidence that there isn't a capacity issue in the Upper East Side, all students who had been waitlisted at P.S. 290 ended up receiving seats, and the number of kindergarten sections at P.S. 151 could be reduced from six to five to accommodate all 115 kindergarten students currently enrolled.

Comments received regarding the potential re-zoning of the Upper East Side related to the proposal

- 14. Twenty-one commenters emailed the DOE in support of the rezoning proposal, making multiple points:
 - a. It is clear there is a need for a new zoned elementary school in the Upper East Side.
 - b. Waitlists have a widespread negative impact, on waitlisted families, on schools where displaced students are sent, and on the budgets of schools that can't predict how many students they will end up with.
 - c. New School is the best option for using M816 because the other option—placing P.S. 77 Lower Lab in M816—would make that capacity available for all District 2 families, rather than just for Upper East Side families.
 - d. Though the re-zoning that would result from the opening of New School would split the Ruppert Yorkville Towers community, where many families currently send their students to P.S. 151, the proposal is the best option available.
 - e. Opening a new school is a good opportunity for the community to build their own school.
 - f. New School would prevent families from having to send their children to a school they do not desire, like P.S. 198.
- 15. Six commenters opposed the rezoning, making some or all of the following points:
 - a. Building M816 should be used as a new location for P.S. 77 instead of New School so that P.S. 77 and P.S. 198 can expand their enrollment. P.S. 77 and P.S. 198 are cramped together in their current location. Expanding existing schools is more cost-effective than opening new ones. The current situation between these schools attracts media attention that only makes the situation worse.
 - b. There is not an overcrowding problem at P.S. 290 that needs to be solved by opening New School. As evidence that there isn't a capacity issue in the Upper East Side, all students who had been waitlisted at P.S. 290 ended up receiving seats, and the number of kindergarten sections at P.S. 151 could be reduced from six to five to accommodate all 115 kindergarten students currently enrolled. The

real problem is a waitlist problem that could be fixed by changing the kindergarten admissions process.

- c. As a result of the rezoning proposal, P.S. 290 will have a significantly smaller enrollment, which would result in less funding from the DOE and cutbacks in staffing and would lead to larger class sizes and fewer programs and services at the school. However, moving P.S. 77 to building M816 would not best serve the community because the community needs new middle school seats that are open to all, not just those who can test into them, which is what P.S. 77 would offer if it expanded to serve middle school grades.
- d. The DOE has not released sufficient data to make it clear that New School is necessary or the best choice for the community.
- e. So many students qualify for G&T and do not receive G&T seats in their neighborhoods.

Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal

I. Comments received at the Joint Public Hearing

Comments 3b, 4 and 5 support the proposal, and do not require a response.

Comment 7 is neutral with regard to the proposal and does not require a response.

Comments 1a and 9-12 do not relate to this proposal, and thus do not require a response.

Enrollment projections in EIS

With respect to comment 1b, the enrollment projections for 4th and 5th grade reflect the higher target class size for these grades relative to kindergarten through third grades. In this case, New School is expected to program up to three sections per grade. The DOE does not anticipate that a large number of new students will arrive for 4th and 5th grades.

Renovations of the sixth floor

With respect to comments 2, 3a, and 6b, the renovations of the sixth floor are expected to be made over the summer of 2012 in order to minimize disruption for P.S. 51. The SCA and its consultants have visited the M816 building on several occasions to begin design and scope the project. The SCA has previously renovated the fifth floor of the building over the summer of 2010, and completed renovations of the basement and first through fourth floors between May and beginning of school in 2009. Based on the similarity to the 2010 renovations of the fifth floor, and the time available for design and planning, the DOE is confident the sixth floor will be complete in time for P.S. 51 to relocate some of its classrooms to this floor for the beginning of school in September 2012.

Co-location of New School with P.S. 51

With respect to comment 1c, there are currently hundreds of schools in buildings across the City that are co-located. In all cases, the Instructional Footprint is applied to all schools in the building to ensure equitable allocation of classroom, resource and administrative space. In this

case, P.S. 51 was informed about the one year co-location as a condition of their temporary relocation to M816, and the principal is committed to working collaboratively with New School to ensure student needs are met and shared spaces are scheduled to accommodate student needs appropriately.

With respect to comment 6 (which suggested the opening of New School be delayed until 2013 to avoid co-location with P.S. 51), the DOE has proposed to open New School beginning in September 2012 instead of a later date because growth projections, waitlists, and overcrowding all indicate an immediate need for a new zoned elementary school. A one-year co-location for New School is consistent with the incubation of P.S. 267 in the area, which was co-located with P.S. 158 for two years. With the renovation of the sixth floor, there is sufficient space for New School and P.S. 151.

With respect to comment 8i, the commenter was referring to a statement made by a DOE representative at a CEC meeting on October 26, 2011, about the future use of space at P.S. 158. The DOE stated that it would not permanently site two zoned elementary schools in the same building. This proposal would not permanently site two zoned elementary schools in M816.

Data

With respect to comments 8b, 8e, and 15d, the DOE has provided substantial data to the CEC to support the proposed rezoning to create a zone for New School. In spite of the opening of P.S. 151 and P.S. 267, schools on the Upper East Side remain and are expected to continue at well above 100% building utilization, and future enrollment projections by the SCA for capital planning purposes continue to anticipate enrollment growth on the Upper East Side. Kindergarten enrollment at zoned elementary schools on the Upper East Side – including P.S. 6, 151, 158, 183, 198, 267 and 290 – has increased an average of 6.1% per year over the past four years.

Building a school community/successful opening of P.S. 151

With respect to 8d, 8g and 8h, one of the important aspects of the opening of P.S. 151 was the existence of an attendance zone prior to opening the school. The zone provided early certainty about which school a child would attend the following year, and as a result, parents living in the zone created contact lists and planning committees to develop community and support the school in advance of its opening. Similarly, for this proposal, the DOE has proposed rezoning to the CEC to create an attendance zone for New School that would be in effect for the upcoming school year. As soon as parents know if they are zoned to New School, they can begin forming a community, as the parents of P.S. 151 did in advance of the opening of their school.

Rezoning

With respect to comments 8g and 8h, the DOE understands that some families will be disappointed not to be zoned to the school they may have expected. However, the process of being waitlisted is itself highly stressful for families. Rezoning does not directly impact the classroom, and in this case all students would be zoned to schools within walking distance of their homes. There are several examples of opening successful new schools in District 2, including P.S. 151, P.S. 267, P.S. 276 (Battery Park City), and P.S. 397 (Spruce Street). If parents are concerned about attending a new school, they have the opportunity to apply to other

District 2 schools, and may receive a seat if there is space available after accommodating zoned students and out-of-zone siblings. In addition, if New School is not opened, the alternative to attending their zoned school may be being overflowed to a school further away, that may also be relatively new, such as P.S. 267, or that may have lower performance than the current zoned school; each of these alternatives may raise different issues for the waitlisted students and their families.

II. Alternatives Proposed

Most comments opposing this proposal were supportive of the alternative suggestion of relocating P.S. 77 – a District 2 Gifted and Talented school currently co-located in M198 with a zoned school, P.S. 198 – to the M816 building.

Relocate P.S. 77

Comments 8b-f, 8i, 13a, and 15a suggest that instead of opening New School in M816, the DOE should relocate P.S. 77 to OLGC. P.S. 77 is a district-wide Gifted and Talented school serving 351 students in grades K-5.¹ Relocating P.S. 77 would not directly address the waitlist at P.S. 290. Since P.S. 77 admits students based on student scores on a standardized admission test and parent preferences, the expanded enrollment could admit students from anywhere in District 2, not just from P.S. 290 or even other zoned schools on the Upper East Side. As a result, waitlisted students at P.S. 290 would still have to wait until June or later to find out where there would be an available seat for kindergarten, and students would continue to be overflowed to adjacent schools rather than served in their zoned school. The DOE believes that at this time, ensuring a zoned seat is a higher priority than expanding Gifted and Talented enrollment.

In total, in 2010-2011, 580 District 2 students qualified for and applied to a kindergarten Gifted and Talented program. 448 students received an offer for a G&T seat.

Capital Investment in Existing Schools

With respect to comment 8a, the DOE evaluates all buildings annually to assess building condition and prioritize capital investment. While further modernizing existing facilities may be desirable, it would not necessarily expand the capacity of those schools. In this case, P.S. 290 is at full capacity, and had an extensive waitlist for kindergarten, despite recent rezoning to reduce the size of its zone. Additional capital investment in the existing site would not provide additional capacity to address the excess demand for this school.

Improve admissions and waitlist processes

With respect to comments 8d, 8g, 13b-c, and 15d, the DOE is continuing to assess and improve its processes for addressing waitlists. However, while it is true that all waitlisted students were eventually offered seats at P.S. 290, we are unable to predict how many of the waitlisted students would have attended their zoned school had they received an initial offer; many families made different plans after being waitlisted, and thus even an improved waitlist process does not adequately address the underlying issue of not receiving an offer to their zoned school. Data

¹ 2011 Unaudited Register

show that even with the existence of New School, P.S. 290 may still experience a small waitlist, rather than being underenrolled, as some commenters have suggested.

III. Comments received in response to rezoning proposals

Comment 14 is supportive of the proposal and does not require a response.

Comment 15 has been addressed in the response to comments made at the Joint Public Hearing.

Changes Made to the Proposal

No changes were made to the proposal in response to public feedback.